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Date of Deposit: August 26, 2004

Atty. Docket No. 18989-028



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Victor Dzau *et al.*
SERIAL NUMBER: 10/701,789 EXAMINER: Not Yet Assigned
FILING DATE: November 5, 2003 ART UNIT: 1636
FOR: MESENCHYMAL STEM CELLS AND METHODS OF USE THEREOF

Mail Stop Sequence
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Please amend the application as set forth below and consider the following remarks:

In the Specification:

Please insert the sequence listing at the end of the specification.

Please replace the drawings with the enclosed drawings.

REMARKS

In response to the August 12, 2004 Notice to File Missing Parts of Nonprovisional Application, Applicants submit a computer readable form (CFR) copy of the "Sequence Listing"; an initial paper copy of the "Sequence Listing"; and a statement that the content of the paper and computer readable copies are the same and include no new matter, in compliance with 37 C.F.R. §§ 1.821-1.825. Applicants also submit substitute drawings.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Attorney Reference No. 18989-028. Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

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Dated: August 26, 2004